

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN

DISTRICT OF CALIFORNIA

08 JUL -3 AM 11:28

Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. 08-56-020

U.S. District Court Case No. No 3:07-cv-02045

Short Case Title

(Include Name of Specific Defendants in Criminal Cases)

BY:

(Include defendant # in Criminal Cases) BTM

Date Notice of Appeal Filed by Clerk of District Court

EC

DEPUTY

JMA

SECTION A — To be completed by party ordering transcript

HEARING DATE

COURT REPORTER

PROCEEDINGS (strike portion not desired)

Voor Dire

Opening Statements

Settlement Instructions

Closing Arguments

Jury Instructions

Pre-Trial Proceedings

Other (please specify)

(attach additional page for designations if necessary)

☒ I do not intend to designate any portion of the transcript and will notify all counsel of this intention.☐ As retained counsel (or litigant proceeding in pro per), I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.☐ As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered

Type or Print Name

Kevin Vagindere

Signature of Attorney

pro per [Signature]

Phone Number

619-585-7417

Address:

637 Third Ave Ste E1, Chula Vista, CA

This form is divided into five parts. It should be used to comply with the Federal Rules of Appellate Procedure and the Local Rules of the U.S. Court of Appeals for the Ninth Circuit regarding the designation and ordering of court reporters' transcripts.

Please note the specific instructions below. If there are further questions, contact the Clerk's Office, U.S. District Court at (619) 557-6368.

SPECIFIC INSTRUCTIONS FOR ATTORNEYS

- (1) Pick up form from district court clerk's office when filing the notice of appeal.
- (2) Complete Section A, place additional designations on blank paper if needed.
- (3) Send Copy 1 to District Court.
- (4) Send Copy 4 to opposing counsel. Make additional photocopies if necessary.
- (5) Send Copies 2 and 3 to court reporter. Contact court reporter to make further arrangements for payment.
- (6) Continue to monitor progress of transcript preparation.



ATTORNEY KEVIN VANGINDEREN

637 Third Ave., Ste E1
Chula Vista, CA 91910
Telephone (619) 585-7414
Fax (619) 585-7416

Via facsimile and U.S. Mail

June 25, 2008

Bert Deixler, Esq.
Proskauer Rose LLP
2049 Century Park East, Suite 3200
Los Angeles, CA 90067-3206

RE: Vanginderen v. Cornell University, Appellate Docket No. 08-56-020

Dear Mr. Deixler:

Please be advised that no transcripts will be ordered in the above captioned matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Vanginderen', followed by a long horizontal flourish line.

Kevin Vanginderen, Esq.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF San Diego

I have read the foregoing _____ and know its contents.

☐ CHECK APPLICABLE PARAGRAPHS

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner _____ a _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on _____, at _____, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Type or Print Name

PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88

Signature

STATE OF CALIFORNIA, COUNTY OF San Diego

I am employed in the county of San Diego

I am over the age of 18 and not a party to the within action; my business address is: 637 Third Avenue, Suite E-1, Chula Vista, CA 91910, State of California.

On, July 3, 2008 I served the foregoing document described as A copy of the Notice to Clerk of No Order for Transcripts

on Defendant Attorneys, Ninth Circuit in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Bert Deixler, Esq., Proskauer Rose LLP, 2049 Century Park East, Suite 3200, Los Angeles, CA 90067-3206, and Valerie Cross Dorn, Esq., Office of University Counsel, 300 CCC Building, Garden Ave., Ithaca, New York 14853, Office of Clerk, U.S. Court of Appeals, P.O. Box 193939, San Francisco, CA 94119-3939

☒ BY MAIL

☒ *I deposited such envelope in the mail at 637 Third Avenue, Chula Vista, California.
The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, at _____, California.
**(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, at _____, California.
☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Juan Ramirez

Type or Print Name

Signature

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

**(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

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